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When Order in Council and governor's instruction prove of no avail then Parliament had to be invoked. "If [the colonists] shall neglect or refuse [his Majesty's measures] then this said governor do immediately inform his Majesty thereof that the same may be laid before the parliament of Great Britain" (p. 472). A great turning point not only in British constitutional history but in British colonial administration is indicated by these words.

CHARLES M. ANDREWS.

*The Revision and Amendment of State Constitutions.* By WALTER FAIRLEIGH DODD. (Baltimore: Johns Hopkins Press. 1910. Pp. xvii, 350.)

THIS is a very valuable monograph. It will be of great aid to all members of constitutional conventions and to every student of constitutional law. The author has stuck closely to his theme and has resisted the temptation to attract miscellaneous readers by a history of the events that caused constitutional conventions prior to the American Revolution, by any reference to the French convention, or by a description of the dramatic incidents connected with the Rhode Island Convention of 1841 and the Missouri Convention that sat for two years during our Civil War. The conclusions drawn by him are sane and conservative. He is no disciple of Judge Jameson, whose work on constitutional conventions he cites with perhaps too much respect. That book was not written from the standpoint of a judge or of a scholar. It was a political tract, originally composed to oppose certain opinions expressed in the Illinois Convention of 1862, which, it was thought, endangered the cause of the North. Although Judge Jameson and his political allies then succeeded in preventing that convention, of which he was not a member, from setting a new constitution into operation without its approval by a vote of the people, the people of other states have since then acquiesced in the exercise of such power by conventions upon ten or more different occasions, and this had been done several times before. He wished to combat the doctrine that a constitutional convention was subject to no restraint, but had the same powers as an ancient folksmeet, such as still assembles on the Isle of Man and in some Swiss cantons, or as the Parliament of Great Britain. This theory had been, until then, generally accepted, and has much support in history, and reason as well as precedent; although, of course, a state convention is necessarily subject to the limitations of the federal Constitution. (*New Orleans Gas Light Company v. Louisiana Gas Light Company*, 115 U. S., 650; this case is not cited by Mr. Dodd, who, however, has collected in a note to page 93 a few decisions of the state courts upon this point and also refers to Cooley's *Constitutional Limitations*.) The historian Bancroft and Judge Marcus Morton, when governor of Massachusetts, seem to have been of the opinion that otherwise its powers were boundless. In attacking this, Jameson, like most advocates, steered for the opposite pole and took the position that

a convention is absolutely bound by the restrictions that the state legislature chose to impose upon it.

Mr. Dodd says: "As a rule, then, constitutional conventions are subject only to the following restrictions: (1) those contained in or implied from provisions in the existing state and federal constitutions, and (2) in the absence of constitutional provisions, those derived or implied from the limited functions of conventions" (p. 92). Many would consider his doctrine too conservative.

The judicial cases upon the subject are nowhere so well collected as in Mr. Dodd's book. It is interesting to note, as a sign of the tendency of thought among the rising generation of scholars, that he is strongly opposed to the judicial usurpation by the courts of some of our states in asserting the right to act as third legislative chambers and to set aside, upon general principles, laws which they disapprove, but which clearly do not violate any constitutional inhibition.

Not the least valuable part of the book is a collection of the cases in which the people have overruled such decisions by constitutional amendments (pp. 238-240).

Should a new edition be called for, the index might well be enlarged by inserting references to the mentions in the text of Borgeaud, Judge Hand, Judge Jameson, Judge Lobingier, and the Constitution of Mexico. It seems ungracious, however, to find fault with such an excellent piece of work.

ROGER FOSTER.

*The Intimate Life of Alexander Hamilton.* Based chiefly upon Original Family Letters and other Documents, many of which have never been published. By ALLAN McLANE HAMILTON. (New York: Charles Scribner's Sons. 1910. Pp. xii, 483.)

WHETHER we admire or condemn Hamilton's ideas we must like his personality. He was one of the gifted men of his day, a genius born to greatness in whatever field he entered. He was a precocious boy who justified the promise of his youth. Ideas formed themselves readily in his mind, and he had both the industry and inclination to announce them to the public. In his earliest age they have the marks of maturity. He entered life at a time most favorable for a man of his capacity, when society was being remade and a self-made man was least likely to be embarrassed by the lack of conventionalities. And yet he was the genius of the old, not through affectation but through conviction. He believed in capable government and in a society in which conservatism ruled. He gave to the new régime that balance which it needed to restrain its tendency to experimentation, and he had the necessary ability to impose his purpose on a people who were a little too prone to ignore the permanent things of life. His activity in these lines can never be underestimated. They have many times been described in biographies and in histories.